

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Application of Pacific Gas and Electric Company  
Proposing a Market Structure and Rules for the  
Northern California Natural Gas Industry for the  
Period Beginning January 1, 2003 as Required by  
Commission Decision 01-09-016. (U 39 G)

Application 01-10-011  
(Filed October 8, 2001)

**ADMINISTRATIVE LAW JUDGE'S RULING SHORTENING  
TO RESPOND TO TWO MOTIONS**

On January 31, 2003, the Northern California Generation Coalition (NCGC) filed a motion to modify the procedural schedule in the above-captioned proceeding, and a motion to strike the cost of capital testimony submitted by Pacific Gas and Electric Company (PG&E) on January 13, 2003. Normally, pursuant to Rule 45 of the Commission's Rules of Practice and Procedure, the responses to the two NCGC motions would have to be filed no later than February 18, 2003.

NCGC's procedural schedule motion seeks to modify the dates for submitting the prepared testimony and the hearing schedule. Instead of all other interested parties submitting their prepared testimony on February 28, 2003, NCGC requests that the Office of Ratepayer Advocates (ORA) submit its prepared testimony first, and that the other interested parties be allowed submit their prepared testimony on March 24, 2003. NCGC also requests that the rebuttal testimony of all parties be submitted on April 10, 2003, and that the evidentiary hearings commence later in April. NCGC states that due to the

expanded scope of the issues covered in PG&E's prepared testimony, ORA should prepare its testimony before the other parties are required to submit their prepared testimony.

NCGC's motion to strike seeks to delete Chapter 11 of PG&E's prepared testimony, that PG&E's cost of capital proposal be removed from this proceeding, and that the cost of capital issue for PG&E's gas transmission and storage plant be reserved for the 2004 generic cost of capital proceeding.

On February 3, 2003, NCGC filed a motion to shorten the time for interested persons to file a response to the two NCGC motions. NCGC seeks a shortening of time so that interested parties can plan, and be timely informed, of whether they will have to submit their prepared testimony on February 28, 2003. NCGC requests that the time for responding to its two motions be shortened to February 10, 2003, and that a ruling on the motions be issued no later than February 13, 2003.

In order to issue a timely ruling on NCGC's January 31, 2003 motions, I will grant the request to shorten the time for parties to respond to the NCGC motions as follows. Interested persons will have until the close of business on February 10, 2003 to respond to the two NCGC motions that were filed on January 31, 2003. Any party filing a response to the motions shall ensure that an electronic copy of the response is transmitted to the undersigned (jsw@cpuc.ca.gov), and the other parties on the service list, on the same day. I will endeavor to issue a ruling on the two NCGC motions on or before February 14, 2003.

**IT IS RULED** that:

1. The Northern California Generation Coalition's (NCGC) motion to shorten the time for responding to its January 31, 2003 motion to modify the procedural

schedule and motion to strike the testimony of Pacific Gas and Electric Company regarding cost of capital is granted as set forth below.

- a. Interested persons shall file responses to NCGC's January 31, 2003 motions no later than the close of business on February 10, 2003.
- b. Anyone filing a response to NCGC's January 31, 2003 motions shall electronically serve the undersigned and the service list with a copy of the response on the same day it is filed.

Dated February 5, 2003, at San Francisco, California.

\_\_\_\_\_  
/s/ John S. Wong  
John S. Wong  
Administrative Law Judge

**CERTIFICATE OF SERVICE**

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Shortening Time To Respond to Two Motions on all parties of record in this proceeding or their attorneys of record.

Dated February 5, 2003, at San Francisco, California.

/s/ Antonina V. Swansen

Antonina V. Swansen

**N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

\*\*\*\*\*

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.

